



12. In a method for concentrating, isolating or detecting a cyst of cryptosporidium or giardia using a continuous flow centrifuge, the improvement comprising using a filtration column of graded glass beads or sand in the fluid stream of the centrifuge.--

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REMARKS

With entry of this amendment, claims 1, 3, 4, 6-8 and 10-12 are pending. Claims 2, 5 and 9 have been rewritten in independent form as claims 10-12. No new matter has been added. Reconsideration is requested.

Claim 1 was rejected under 35 USC § 102 as being anticipated by Leu (USP 5,866,071). This rejection is traversed for the following reasons.

Applicants respectfully submit that Leu does not use a method as claimed in the present invention in which filtration within a tube of water under the forces of centrifugation is used to separate small parasite products (of 4-10 microns in diameter) from raw water. This implies filtration of approximately 20 liters of water already containing particulates and colloidal matter per sample. This will block all but the largest filter pads even operating under extreme pressure. The present apparatus operates under such conditions and remains efficient in removing *Cryptosporidium* oocytes. For these reasons, withdrawal of the §102 rejection is respectfully requested.

Claims 3-4 and 6-8 were rejected under 35 USC § 103(a) as being unpatentable over Borchardt et al. in view of Leu. This rejection is traversed for the following reasons.

Borchardt et al. used a complex designed centrifuge tube incorporating a filtration disc in the center to isolate microorganisms and particles. The present

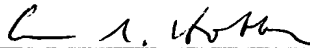
invention incorporates glass beads which serve this purpose. Furthermore, as a filtration disc will become blocked with colloidal matter and other suspended matter, the present device, by virtue of the huge surface area of the filtration matrix, will allow the filtration of larger water samples. It is thus better suited to the detection of cysts and oocysts in raw water. The combination of Borchardt et al. with Leu would not result in the present invention. Withdrawal of the § 103 rejection is respectfully requested.

Applicants appreciate the Examiner's indication that claims 2, 5 and 9 would be allowable if rewritten in independent form. Claims 10-12 have been so drafted and are believed to be allowable

All objections and rejections having been addressed, it is submitted that the application is in condition for allowance, and Notice to that effect is respectfully requested.

Respectfully submitted,

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